

WALTER O'CHESKEY
STANDING CHAPTER 13 TRUSTEE
6308 IOLA AVENUE #100
LUBBOCK, TX 79424
(806) 748-1980

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

**IN RE:
TAMMY RACHELLE HIBBLER**

DEBTOR(S)

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CASE NO. 13-70282-13

HEARING DATE: 10/16/2013

HEARING TIME: 10:00 A.M.

TRUSTEE'S AMENDED OBJECTION TO DEBTOR(S) CLAIM OF EXEMPTIONS

NOW COMES WALTER O'CHESKEY, STANDING CHAPTER 13 TRUSTEE, and files his Objection to the Debtor's Claim of Exemptions, and in support of his objection, would respectfully show the court the following:

1. Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on July 31, 2013 and Walter O'Cheskey was appointed as Trustee of the bankruptcy estate.
2. Debtor(s) was scheduled for and attended the First Meeting of Creditors per USC § 341 on August 28, 2013 at 2:00 P.M. This objection is filed within thirty, (30) days from the date of first meeting of creditors.
3. Trustee objects to Debtor's exemptions claimed under Const. art. 16 §§ 50, 51, Texas Prop. Code §§ 41.001-.002. Debtor exempted \$32,411.00 of her home.
4. Trustee objects to Debtor's exemptions in accordance with 11 U.S.C. § 522 (o)(4) as Debtor sold real property that was not her homestead to her cousins in November 2012 and used the proceeds as a down payment for her current home.
5. Trustee objects to Debtor's exemptions claimed under Tex. Prop. Code §§ 42.001(a), 42.002(a)(5).
6. Specifically, Debtor seeks to exempt "jewelry" under a category that is reserved for wearing apparel.

WHEREFORE PREMISES CONSIDERED, Walter O'Cheskey, Chapter 13 Trustee respectfully prays that this court sustain his objection, and order that the Debtor(s) amend Schedule C to remove the improper exemptions.

Date: September 11, 2013

Respectfully submitted,
/S/ Walter O'Cheskey
Walter O'Cheskey, Trustee
6308 Iola Avenue
Lubbock, TX 79424

NOTICE OF HEARING

TO: DEBTOR(S) AND DEBTOR ATTORNEY OF RECORD

You are notified of the filing of the foregoing Objection to Exemptions for the reason(s) therein stated.

A Hearing upon the Trustee's Objection will be held on **October 16, 2013 at 10:00 AM** at UNITED STATES COURTHOUSE, ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS.

YOU DO NOT HAVE TO ATTEND THE HEARING UNLESS YOU OPPOSE THE TRUSTEE'S OBJECTION.

NOTICE OF PRE-HEARING CONFERENCE

A Pre-Hearing Conference will be held by the Trustee on **October 16, 2013 at 8:30 A.M.** at the location given above. Hearings on Trustee's Objections to Exemptions not resolved at the Pre-Hearing Conference will be heard by the Court immediately following the Pre-Hearing Conference.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Objection to Exemptions, Notice of Hearing, and Notice of Pre-Hearing Conference was this date served on the following parties at the addresses listed below by either electronic service or by U.S. First Class Mail:

U.S. Trustee
1100 Commerce Street, Room 9C60
Dallas, Texas 75242

Debtor(s) Attorney of Record:
MONTE J WHITE
1106 BROOK AVE HAMILTON PLACE
WICHITA FALLS, TX 76301

Debtor(s):
TAMMY RACHELLE HIBBLER
1503 S FM 369
BURKBURNETT, TX 76354

Date: September 11, 2013

By: /S/ Walter O'Cheskey
Office of the Chapter 13 Trustee